

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>Case No. 17-CR-30067-SMY</b>
	)	
<b>ANDREW DOUGLAS BROAD,</b>	)	
	)	
<b>Defendant.</b>	)	

**ORDER**

On September 11, 2018, Defendant Andrew Douglas Broad was sentenced to 12 months and 1 day of imprisonment and 3 years of supervised release for conspiracy to commit wire fraud in violation of 18 U.S.C. § 1349. He also was ordered to pay restitution in the amount of \$55,238.28 to be made in equal monthly installments of \$100.00 or ten percent of his net monthly income, whichever is greater (Doc. 40). Now pending before the Court is Defendant's Motion to Modify & Reduce Payment Schedule of Restitution (Doc. 42). Defendant represents that changed circumstances warrant a modification of his restitution payment schedule. He states that he has a new job earning \$2,000.00 in gross income per month, pays a total of \$1,775.00 for housing, utilities, and food, and therefore, cannot afford to pay the required \$200 per month in restitution. The Government has not responded to the Motion.

Title 18 U.S.C. § 3664(k) permits the court to adjust the restitution payment schedule as the interests of justice require upon notification "of a material change in the defendant's economic circumstances that might affect the defendant's ability to pay restitution." However, Defendant has not complied with the requirements of § 3664(k). There is no showing that he notified the Attorney General of his changed circumstances, and the Attorney General has not certified that the victims have been notified of the same. Defendant has also not provided evidence to support the

motion. Accordingly, Defendant's Motion to Modify & Reduce Payment Schedule of Restitution (Doc. 42) is **DENIED** at this time. Defendant may refile his motion consistent with the requirements of Title 18 U.S.C. § 3664(k).

**IT IS SO ORDERED.**

**DATED: August 25, 2020**

The image shows a handwritten signature in black ink that reads "Staci M. Yandle". The signature is written over a circular official seal. The seal features an eagle with a shield, holding an olive branch and arrows, with a constellation of stars above its head. The text "UNITED STATES DISTRICT COURT" is visible around the perimeter of the seal, and "NORTHERN DISTRICT OF CALIFORNIA" is at the bottom.

**STACI M. YANDLE**  
**United States District Judge**